

REMARKS

Claims 1-9 are pending in the present application.

The Examiner has set forth a restriction requirement with regard to claims 1-6. The grouping of the claims is set forth as follows:

GROUP	CLAIMS	CLASSIFICATION
I	1-4	class 428; subclass 354
II	5-9	class 156; subclass 502

PATENT COOPERATION TREATY

At the outset, it is respectfully submitted that the present application entered into the national phase before the USPTO based on a PCT application. Thus, the rules that apply to the present application with regard to unity of invention are set forth in 37 CFR §§ 1.475 to 1.477.

As set forth in 37 CFR § 1.475(a), an international and a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept. On April 5, 2004, when the present application was filed in the USPTO, the Examiner was provided with a copy of the International Search Report. In this report, the International Bureau maintained the method claims and the article claims in a single application based on the fact that the claims were so linked as to form a single general inventive concept.

It is respectfully submitted that the present application does include claims that are so linked as to form a single general inventive concept. The Examiner's contention that the claimed method is not required to make the article because the article may be made by bonding and brazing is not believed to be tenable. Thus, claims 1-9 should be considered in a single application. The Examiner is respectfully requested to reconsider his restriction requirement.

As set forth in Section 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. Two criteria are identified for proper requirement for restriction:

1. The inventions must be independent or distinct as claimed; and
2. There must be a serious burden on the Examiner if the restriction is not required.

Applicants respectfully submit that a serious burden has not been placed on the Examiner to consider all of the claims in a single application. A review of the subject matter set forth in claims would have an overlapping search. Thus, a different field of search really does not exist with regard to the claims of the present application.

In order to be responsive to the Examiner's restriction requirement, group II has been initially elected. The Examiner is respectfully requested to reconsider the restriction requirement and act on all of the claims in the present application. If the Examiner does persist in the restriction requirement, Applicants reserve the right to file a divisional application directed to the non-elected claim at a later date if they so desire.

INFORMATION DISCLOSURE STATEMENT

The Examiner is respectfully requested to consider the Information Disclosure Statement that was filed on April 5, 2004. The Examiner should initial and return the form PTO-1449 to the undersigned.

CLAIM FOR PRIORITY

The Examiner has not acknowledged Applicants' claim for foreign priority. The Examiner is respectfully requested to acknowledge Applicant's claim for foreign priority in the next Office Action.

DRAWINGS

The Examiner has not approved the Formal Drawings submitted by the Applicants as filed on April 5, 2004. It is respectfully submitted that the drawings comply with the requirements of the USPTO. If the Examiner has any objections to the Formal Drawings he is respectfully requested to contact the undersigned as soon as possible so that appropriate action may be taken. No further action is believed to be necessary at this time unless the undersigned receives a notice from the Examiner.

Favorable action on the present application is earnestly solicited.

Reply dated November 29, 2004
Reply to O.A. dated October 29, 2004

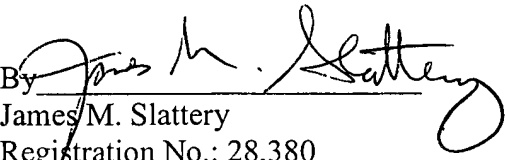
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: November 29, 2004

Respectfully submitted,

JMS/apw

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